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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,033	12/04/2001	Yoshimasa Kitamura	3008-42	9300
20457	7590	08/16/2005	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			STOICA, MARIA	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/000,033

Applicant(s)

KITAMURA, YOSHIMASA

Examiner

Maria Stoica

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/28/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 2000-368227, filed on 4 December 2000.

Specification

The disclosure is objected to because of the following informalities: On p. 9, lines 4-12, the sentence "After the CPU 11 ... to produces a picture book," is grammatically incorrect. On p. 11, line 7, the phrase "... a battery and for supplying ..." is grammatically incorrect. The phrase should be corrected to read --a battery for supplying--. Also on p. 11, line 25 the phrase "...picture book from plurality of characters..." is an incomplete fragment. The phrase should be changed to read --picture book from a plurality of characters--. On p. 12, line 28, the phrasing "When the respective scenarios 1, 2 or 3 is produced" is grammatically incorrect. A suggested correction is --When one of the respective scenarios 1, 2 or 3 is produced--. Appropriate corrections are required in all the previously mentioned instances.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented on Nintendo Entertainment System (NES) in 1990. The game descriptions and references to follow are obtained from the Maniac Mansion Manual, a paper copy of which is attached to this action. The Maniac Mansion game discloses a memory means (the game system) of storing sentence data related to the behavior of a main character (the active character at any given time) corresponding to a set of possible actions for that character. This sentence data is either displayed on the message line (p. 9), in the case of dialogue from the character or general narration, or on the sentence line (p. 10), in case of narration of an action. For the purpose herein, the actions of any character will be treated as “keywords”. Each character and action is associated with an image that is displayed in the animation window (p. 9). The player of the game is allowed to select the keyword corresponding to the actions that the main character should perform. After the player has made a selection, the game processes the information and executes the desired action of the character. The corresponding action sentence is displayed on the sentence line, and any speech of the character is displayed on the message line.

Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES. In addition to the components described in the previous paragraph, the images associated with each character and action include animations.

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Claims 4, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES in 1990. In addition to the components described in the previous paragraphs, the game is open ended in that actions can be taken in different order – the sequence of the game is not the same each time the game is played. Therefore, the game is capable of rearranging the plurality of keywords to create different story lines. The game functions properly whether these choices are made randomly or in an organized fashion. Furthermore, the solution to the game, and thus the storyline adjusts based on the sequence of the actions.

Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES in 1990. In addition to the components described in the previous paragraphs, the Maniac Mansion game also has a feature of creating flow within sentences and between different parts of the game. Within sentences, depending on the action verb chosen (p. 10) and the (optional) object upon which the action is executed, the computer compiles action sentences with a natural sounding structure. The game also contains “cut-scenes” (p. 13) which are inserted at different points in the game to let the player know more about what is going on in the game. These scenes direct the flow of the game and help connect the different parts of the overall mission of the characters in the game.

Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES in 1990. In addition to the components described in the previous paragraphs, the Maniac Mansion game further allows for the selection of multiple characters from a larger selection of main characters, as well as multiple

actions for each character. At any given time, the player may select which character should be utilized, such that the character is chosen as the main character.

Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES in 1990. In addition to the components described in the previous paragraphs, the Maniac Mansion game also contains locations for the main characters (the different rooms in the house) and sub-characters (p. 3) associated with these locations. Furthermore, the game chooses the locations of the characters depending on the selected keywords for the main character at that time.

Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES in 1990. In addition to the components described in the previous paragraphs, the Maniac mansion game includes an output to a screen, which results in a means for displaying the story.

Claims 12, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES in 1990. In addition to the components described in the previous paragraphs, the physical properties of the NES game system require it to be set up in the server-terminal configuration, consisting of a controlling device, a story generating device, and a display. Furthermore, the game is implemented for NES, which is a form of personal computer (PC), as well as for conventional desktop computers.

Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by the Maniac Mansion game implemented for NES in 1990. In addition to the components described in the previous paragraphs, the Maniac Mansion game has a base storyline that is

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stored into the system. The rooms and characters and possible actions are all stored in the NES machine. As appropriate, this information is retrieved and synthesized into the storyline, customized with the player's inputs.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Maniac Mansion game for NES in view of Andrew'104 et al. (US Patent No. 6,567,104). For features of the Maniac Mansion game, please refer to the 102(b) rejections above. The Maniac Mansion game does not have the specific feature that information is stored in accordance to seasons. Andrew'104 teaches of a computer system with "one or more predefined time periods, each of which is defined by one or more conditions." (col. 6, lines 13-14) It further suggests that seasons could be classified as specific time periods by date (col. 6, lines 45-47). Andrew'104 discloses a method in which such a system could be used to customize the user interface (in this case the display that shows the resulting story) based on the time period by associating different interfaces with each defined time period. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate this

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method into the story generation device to adapt the image displays of the resulting story to seasonal changes.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria Stoica whose telephone number is (571) 272-5564. The examiner can normally be reached on M-F: 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Harrison can be reached on (571) 272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MS

Chanda L. Harris
CHANDA L. HARRIS
PRIMARY EXAMINER